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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,439	08/26/2003	Wataru Yokozeki	108066-00098	1722
4372	7590	10/26/2004	EXAMINER	
ARENT FOX KINTNER PLOTKIN & KAHN 1050 CONNECTICUT AVENUE, N.W. SUITE 400 WASHINGTON, DC 20036			LE, THONG QUOC	
			ART UNIT	PAPER NUMBER
			2818	

DATE MAILED: 10/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/647,439	Applicant(s) YOKOZEKI ET AL.	
	Examiner Thong Q. Le	Art Unit 2818	<i>AW</i>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-15 is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☒ Claim(s) 2 and 4-6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. Claims 1-15 are presented for examination.

Information Disclosure Statement

2. This office acknowledges receipt of the following items from the Applicant:
Information Disclosure Statement (IDS) filed on August 26, 2003.
3. Information disclosed and list on PTO 1449 was considered.

Specification

4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1,3 are rejected under 35 U.S.C. 102(b) as being anticipated by Shimizu et al. (U.S. Patent No. 6,097,622).

Regarding claim 1, Shimizu et al. disclose a nonvolatile data storage circuit (Figure 22), comprising:

a data holding circuit (ABSTRACT, Column 2, lines 33-34) having a storage node; and

a plurality of ferroelectric capacitors (MS) one electrode of each of which is connected to said storage node; wherein

during a store operation write data from said data holding circuit to said plurality of ferroelectric capacitors, a plurality of plate signals (Column 9, lines 10-24) are supplied to the other electrodes of said plurality of ferroelectric capacitors, timing of either rising or falling of both rising and falling being made different (Column 1, lines 46-64, Column 9, lines 25-57, Fig. 20A).

Regarding claim 3, Shimizu et al. disclose wherein the plurality of ferroelectric capacitors (Figure 7, C1, C2) connected to said storage node have a first and a second ferroelectric capacitor, and the timing of first plate signal and the timing of the plate signal, applied to said first and second ferroelectric the falling of a rising of a second capacitors, substantially coincide (Column 6, lines 42-67, column 7, lines 1-27).

Allowable Subject Matter

7. Claims 2, 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2, 4-6 include allowable subject matter since the prior art made of record and considered pertinent to the applicant's disclosure does not teach or suggest the claimed limitations. Shimizu et al. (U.S. Patent No. 6,097,622), and others, does not teach the claimed invention having a latch circuit and wherein said data holding circuit comprises an activation circuit which activates the data holding circuit in response to an activation signal; and, during a recall operation write data from said ferroelectric capacitors to said data holding circuit, after said first plate signal has been driven, said data holding circuit is activated by the activation circuit.

8. Claims 7-15 are allowed.

Claims 7-15 include allowable subject matter since the prior art made of record and considered pertinent to the applicant's disclosure does not teach or suggest the claimed limitations. Shimizu et al. (U.S. Patent No. 6,097,622), and others, does not teach the claimed invention having a during latch circuit to said a store operation to write data of said data ferroelectric capacitors, plate signal first and signal is supplied to the other electrodes third ferroelectric capacitors, a second plate the other electrodes of said second capacitors, and the timing falling, and fourth ferroelectric either the rising or both, said first and said a first second plate signals are made different.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong Q. Le whose telephone number is 571-272-1783. The examiner can normally be reached on 8:00am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David C. Nelms can be reached on 571-272-1787. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thong Q. Le
Primary Examiner
Art Unit 2818

THONG LE
PRIMARY EXAMINER